

## **Remarks**

Claims 30 - 54 and 56 - 57 presently stand rejected. New claims 58-63 have been added. Accordingly, claims 30-54 and 56-63 are pending. Claims 30, 32, 36, 46, 52, 53, 54, 56, and 57 are amended herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

### **Claim Objections**

The Examiner objected to claim 56 because claim 56 indicated dependence from cancelled claim 55. Accordingly, claim 56 has been amended to claim dependence from claim 53.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 30 – 54 and 56 - 57 were rejected under § 103(a) over various combinations of U.S. Patent No. 5, 729, 281 to Utsumi et al. (“Utsumi”), U.S. Patent Application No. 2002/0019984 to Rakib et al. (“Rakib”), U.S. Patent No. 6,188,871 to Kitamura et al. (“Kitamura”), U.S. Patent No. 5,699,105 to Chen et al. (“Chen”), DOCSIS Cable Modem Technology,” IEEE Communications Magazine, by Fellows (“Fellows”), U.S. Patent Application No. 2002/0073431 to Nikolich, and U.S. Patent No. 6,848,116 to Land.

In particular, claims 30 – 39, 41 – 44, 46, 49 – 54 and 57 were rejected over Utsumi and Rakib. Claim 40 was rejected over Utsumi in view of Rakib in further view of Kitamura. Claim 45 was rejected over Utsumi in view of Rakib, and further in view of Chen, and further in view of Fellows. Claims 47 and 48 were rejected over Utsumi in view of Rakib, further in view of Nikolich, and further in view of Land. Finally, claim 56 was rejected over Utsumi, in view of Rakib, as applied to claim 53, and further in view of Kitamura. Applicants respectfully traverse the rejections.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Amended claim 30 recites:

receiving, at a neighborhood headend located at a neighborhood, one or more input signals from a cable distribution center;  
multiplexing, by the neighborhood headend, a plurality of video channels received in the one or more input signals from the cable distribution center;  
receiving, at a local service module located in the neighborhood and coupled to the neighborhood headend, the one or more multiplexed channel signals from the neighborhood headend;  
receiving, at the local service module, a channel selection request for one of the plurality of video channels;  
converting to a predetermined frequency, by one of a plurality of converters in the local service module, the one of the plurality of video channels corresponding to the channel selection request; and  
combining by the local service module, the converted one of the plurality of video channels with at least one other video channel from the one or more multiplexed channel signals into a multiplexed signal for transmission to a plurality of room interface units coupled to the local service module, each of the plurality of room interface units being located at a customer location in the neighborhood.

Thus, amended claim 30 recites receiving one or more input signals *from a cable distribution center* at a *neighborhood* headend of a neighborhood, multiplexing a plurality of video channels received in the one or more input signals from the cable distribution center by the neighborhood headend, receiving a channel selection at the local service module of the neighborhood, converting a video channel corresponding to the channel selection, and combining the video channel with another multiplexed channel signals for transmission to a plurality of room interface units coupled to the local service module, each located at a customer location of the neighborhood.

To illustrate, attention is respectfully directed to pages 4 and 7 of the Applicants' Specification as well as the Applicants' embodiment illustrated in Figure 2 and described on pages 10-14 of the Applicants' application as filed. Applicants kindly direct the Examiner to Figure 2 for support of the amendments, in particular, a neighborhood or in some

embodiments, a multiple dwelling unit (MDU) headend. In the embodiment shown, the neighborhood headend is an apartment building headend 20. It is appreciated of course that Figure 2 illustrates only one embodiment and that there are other embodiments in accordance with the teachings of the Applicants' claimed invention. As shown and described, apartment building headend 20 receives a broadcast television antenna signal 14, a satellite dish signal 16, a high-speed internet connectivity signal 17, and a cable signal 18 from a cable distribution center or system such as a regional headend. In various embodiments, the cable distribution center may include a cable headend and a satellite delivery and transportation system. Thus, as shown in the embodiment of Figure 2, the neighborhood or apartment headend receives one or more signals from a cable distribution center as well as other sources, multiplexes a plurality of video channels that are received in one or more of the input signals, and then provides one or more of these multiplexed channel signals to the local service module co-located in the neighborhood. Note further that the local service module is coupled to a plurality of room interface units, each room interface unit at a customer location of the neighborhood.

In contrast, the prior art of record fails to disclose, teach or fairly suggest the Applicants' expressly recited invention as presently claimed. In the rejection of claim 30, the Examiner cited the center station 1 and the selective distribution station 10 of Figure 1 as corresponding to the respective claimed headend and local service module. However, the center station 1 of Utsumi is a center station of a conventional CATV system, while headend of claim 1 is a neighborhood headend that receives signals from a cable distribution center – it is not the cable distribution center itself. Thus, the selective distribution station 10 of Utsumi receives an all-channel signal directly from center station 1. In contrast, the local

service module of claim 1 receives one or more multiplexed signals from a neighborhood headend (and where the one or more multiplexed channels has also been multiplexed by the neighborhood headend) e.g. a headend located in an apartment building headend of multiple-dwelling unit headend remote from a cable distribution center as discussed in the above-referenced sections of the Specification.

Accordingly, Utsumi does not teach or suggest a neighborhood headend and thus does not teach or suggest “receiving, at a neighborhood headend, one or more input signals from a cable distribution center;” or “multiplexing, by the neighborhood headend, a plurality of video channels received in the one or more input signals from the cable distribution center;”

Rakib also fails to teach or suggest one or more of the recitations of claim 30, and at the very least does not teach a neighborhood headend and thus does not teach or suggest and thus does not teach or suggest “receiving, at a neighborhood headend, one or more input signals from a cable distribution center;” or “multiplexing, by the neighborhood headend, a plurality of video channels received in the one or more input signals from the cable distribution center;”

Consequently, the combination of Utsumi and Rakib fails to teach or suggest all elements of claim 30 as required under M.P.E.P. § 2143.03. Independent claims 46 and 53 include at least one or more similar or same nonobvious elements as independent claim 30. Accordingly, Applicants request that the instant §103(a) rejections of claims 46 and 53 be withdrawn.

Dependent claims 31 - 45, 47 - 52, 54 and 56 - 57 depend from claims 43 or 53 and are patentable over the art of record for at least the same reasons as discussed above in

connection with their respective independent claims, in addition to adding further recitations of their own.

Accordingly, Applicants respectfully request that the instant § 103 rejections of the claims 31 - 45, 47 - 52, 54 and 56 - 57 be withdrawn.

### **New Claims**

New independent claim 58 recites:

58. A neighborhood headend comprising:

receiver decoder means for receiving at least one of a satellite dish signal and a cable television signal from a cable distribution center and for decoding and outputting in response, a first signal;

video recorder means for receiving at least one of a satellite dish signal and a cable television signal from the cable distribution center and for outputting in response, a selected second signal;

combiner means for combining the first and the second signal and for outputting a combined signal; and

diplexer means for receiving the combined signal and for outputting in response, a multiplexed channel signal to a local service module co-located in a neighborhood with the neighborhood headend.

Applicants submits that for at least the reasons discussed above with respect to the rejections of independent claims 30, 46, and 53, new claim 58 is also allowable. New claims 59 - 63 depend from claim 58 and are patentable over the art of record for at least the same

reasons as discussed above in connection with claim 58 in addition to adding further recitations of their own.

### **Conclusion**

All pending claims are in a condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1561. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: October 23, 2008

by: /Linda S. Zachariah/  
Linda S. Zachariah  
Reg. No.: 48,057

Schwabe, Williamson & Wyatt, P.C.  
Pacwest Center, Suites 1600-1900  
1211 SW Fifth Avenue  
Portland, Oregon 97222  
Telephone: 503-222-9981